IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRTIETH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 4290 of 2005

Between:

V.R. Colleges and High School Committee, Nellore Rep. by its Secretary and Correspondent, Anam Vivekananda Reddy.

..... PETITIONER

AND

1. The Government of Andhra Pradesh, Rep. by its Secretary, School Education, Secretariat, Hyderabad.
2 . The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
3 . The Chairman, State Level Standing Committee and Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
4. The District Educational Officer, Nellore, Nellore District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, Order or direction, more particularly one in the nature of Writ of Mandamus, declaring the action of the Respondents in not considering the case of the petitioner society for grant of No Objection Certificate to establish B.Ed., College for Women in Nellore District is arbitrary, unreasonable and consequently direct the Respondents to consider the application of the petitioner for grant of No Objection Certificate to establish B.Ed., College for women in Nellore on par with the others and to pass such other and further orders as this Hon'ble Court may deems fit and proper.

Counsel for the Petitioner : MR. M.KONDAL RAO

Counsel for the Respondents : GP FOR SCHOOL EDUCATION

The Court at the stage of admission made the following :

THE HON'BLE MS. JUSTICE G.ROHINI

WRIT PETITION NO.4290 OF 2005

ORDER:

The petitioner's application dated 18-5-2001 seeking No Objection Certificate to establish a B.Ed. College for Women in Nellore Division was rejected by the second respondent by order dated 13-11-2001 on the ground that the petitioner failed to satisfy the following conditions.

1. *Registered land document for hectares 2.00 of land in the name of the society as owner as on the last date of receipt of filled in application i.e, 18-5-2001.*

2. *Corpus fund of Rs.5.00 lakhs in form of FDR or NSC in any Nationalised Bank or P.O. respectively in the joint account of the Correspondent / Secretary of Secretary and the D.E.O. concerned.*

The petitioner states that subsequently he has complied with the objections raised by the second respondent and accordingly made a further application on 21-02-2005 requesting the third respondent to reconsider the case of the petitioner. The petitioner states that similar requests made by several other similarly situated

institutions have been considered by the respondents and they were granted permission to establish new Colleges of Education in Nellore Division and therefore the respondents are not justified in not reconsidering the request of the petitioner.

I have heard the learned Counsel for the petitioner and the learned Government Pleader for School Education appearing for the respondents and perused the material on record.

Having regard to the facts and circumstances of the case and particularly keeping in view the plea of the petitioner that they have complied with all the requirements, particularly the objections raised by the 2nd respondent in the earlier order dated 13-11-2001, the Writ Petition is disposed of with a direction to the respondents to consider the representation of the petitioner dated 21-02-2005 and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of four weeks from the date of receipt of this order. It is made clear that this Court has not expressed any opinion as to the entitlement of the petitioner for grant of No Objection Certificate as sought by it and it is open to the respondents to pass appropriate orders in accordance with law.

The Writ Petition is accordingly disposed of. No costs.

_____

30TH March, 2005.

gbs

To

1. The Secretary, Government of Andhra Pradesh, School Education, Secretariat, Hyderabad.
2 . The Commissioner and Director of School Education, Andhra Pradesh, Hyderabad.
3 . The Chairman, State Level Standing Committee and Commissioner & Director of School Education, Andhra Pradesh, Hyderabad.
4. The District Educational Officer, Nellore, Nellore District.

5. Two CCs to G.P. for School Education, High Court of A P Bldgs, Hyderabad (OUT).

6. 2 CD copies